

DOCKET FILE COPY ORIGINAL

Galena Park Independent School District

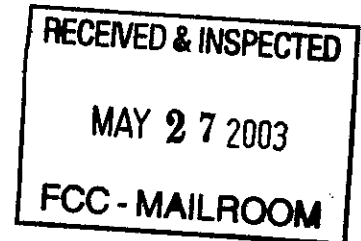
14705 Woodforest Houston, TX 77015

(832) 386-1035

Technology Department

WAIVER APPLICATION

Express Mail # 7002 1000 0005 1390 9252



May 22, 2003

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W. Suite TW-A325
Washington, D.C. 20554

Re: CC Docket no. 96-45, and CC Docket no. 97- 21

Galena Park Independent School District/Form 471 Application Numbers: 314879, and 305340; FRNs – 820430, 822071, 822130, 822164, 822193, 822230, and 825479

Funding Year 2002: 07/01/2002 – 06/30/2003

Billed Entity Number: 141337

The Galena Park Independent School District (Galena Park ISD) received a Funding Decision Commitment Letter (FDCL) dated March 10, 2003 from the SLD denying Application Nos. 314879, and 305340. Galena Park ISD prepared an Appeal to the Federal Communications Commission (see attached) and sent the Appeal by FedEx on April 24, 2003 to the FCC. **Exhibit A**

On May 21, 2003, FedEx returned the Appeal to Galena Park ISD. FedEx did not deliver the Appeal to the FCC, therefore the Appeal will not be timely filed. **Exhibit A**

Galena Park ISD's Appeal was held by Federal Express at their Washington, D.C. location from April 26, 2003 until it was returned to Galena Park ISD on May 21, 2003.

Following is a brief chronology of the reason for the delay:

No. of Copies rec'd 0
List ABCDE

Friday, 25-April-2003

Final copies of appeal were ready for mailing to FCC.

Friday, 25-April-2003, 2:00 PM.

Galena Park ISD's Secretary called Federal Express (FedEx) Customer Service.

She was concerned that, as the package was being sent on a Friday and the FCC office was closed on Saturday, we wanted it delivered on Monday.

She was told by FedEx representative if we sent the package 'priority', delivery would be attempted on Saturday and they (FedEx) could not guarantee that a re-delivery would be attempted on Monday.

The FedEx representative told our secretary to fill out the label as follows:

He supplied her with the address of the FedEx office closest to the FCC office. He gave her the FedEx address for Line 1 of the label and told her to put the address of the FCC on Line 2 of the label. He told her to hold package for Saturday.

The FedEx representative never told her that the package would not be delivered, but rather, that it would be held at the FedEx office.

Friday, 25-April-2003, 2:30 PM.

Package was picked up at Galena Park ISD's warehouse.

Copies were also sent by FedEx to Congressman Green's office in Houston* and by FedEx to Senator Hutchinson's office in Houston**

Tuesday, 29-April-2003

*copy was received by Congressman Green's office.

**copy was received by Congressman Green's office.

Monday, 12-May-2003

Galena Park ISD's Secretary called FedEx automated service to check on the status of the package.

She checked tracking number 837 090 295 780 and was given status of "received at destination."

Wednesday, 21-May-2003

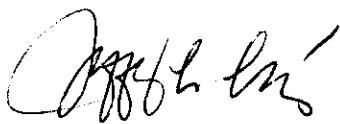
The Appeal package returned to Galena Park ISD undelivered by FedEx in the enclosed envelope (Tracking Number 8388 3415 2944).

The FCDL was dated March 10, 2003 and provides that Galena Park ISD had 60 days to Appeal. At the most, Galena Park ISD is asking for a negligible extension to permit for a timely filing, and there is no evidence that anyone would be prejudiced by the granting of Galena Park ISD's Waiver Request. Based on the attached Exhibit A, and specifically the chronology of events that led to the Appeal being returned by FedEx, Galena Park ISD respectfully request that the deadline for filing be waived.

Ms. Suzon Cameron in the FCC's Office of Legislative Affairs has been apprised of this by Mr. Drew Wallace in Congressman Gene Green's office. Ms. Cameron has asked us to submit the appeal with the above explanation with the understanding the FCC will accept it as a timely filing.

Galena Park ISD is requesting a waiver of the FCC's filing deadline for its Appeal.

Sincerely,



Jeffrey L. Lorentz, Ed.D.
Director of Technology
Galena Park ISD

/encl Appeal
cc: Congressman Gene Green